MEMORANDUM OF UNDERSTANDING
DRUG TESTING FOR EMPLOYEES WITH MOTOR VAN DRIVER CERTIFICATION

This Memorandum of Understanding ("MOU") is entered into on August 20, 2026, by and between the Columbus Education Association ("CEA") and the Columbus City School District Board of Education ("BOARD"). In consideration of the parties' mutual interest in addressing bargaining unit members who maintain a motor van driver certification through the State Board of Education who are now required by state law to be subject to a drug and alcohol testing program, the parties agree as follows:

1. Effective with the execution of this MOU, the parties agree that, subject to BOARD approval, the attached policy will be implemented and made applicable to CEA bargaining unit members with a motor van driver certification ("Impacted Employees"). This policy will be incorporated into the District's existing Drug Free Workplace policy.

2. Impacted Employees who are employed by the District at the time this agreement is executed shall be required to take a pre-employment test at the time they recertify. If recertification occurs during the contract year, employees may take the pre-employment test during their contract day with prior arrangements made with their administrator.

3. Impacted Employees who do not pass a drug test ordered pursuant to the attached policy will be subject to the appropriate step of the Drug Free Workplace policy. In addition, the employee will be subject to the suspension of their motor van driver certification for one year. The employee will be subject to pre-employment test prior to restoration of their motor van driver certification.

   The requirement that employees are required to maintain motor van driver certification for employment in specific positions will be listed on the job description and as a special factor during the Article 21.1 transfer process (effective with the 2027 process for placement during the 2027-2028 school year). Impacted Employees in these positions that test positive on a drug and alcohol test will, as a result of having their certification suspended, be required to transfer to an available position consistent with their licensure. An employee who does not have licensure appropriate for an available vacancy within the District is subject to termination of employment.

4. Any Impacted employee who had a positive test due to the results of a random test ordered prior to the execution of this agreement will be placed on the appropriate step of the Drug Free Workplace policy but will not be subject to the suspension of their motor van driver certification.

5. Except as explicitly modified by this MOU, all provisions of the Master Agreement between the parties remain in full force and effect.

For CEA:

John T Coneglio

John Coneglio, President

08/21/26

Date

For the Board:

Dr. Angela Chapman

Dr. Angela Chapman, Superintendent

8/24/26

Date

Policy Management Console - OSBA

Title: **OSBA Sample** Drug Testing for Motor Van Drivers
Code: EEACD-R-2
Section: Issue 3 of 2025 September PDQ (New)

This is the OSBA Sample

Drug Testing for Motor Van Drivers

Van drivers employed by the District are subject to a drug and alcohol testing program in compliance with this policy and State and Federal law. Employees who violate this policy are subject to disciplinary proceedings in accordance with prescribed administrative regulations, local, State and Federal law and/or the negotiated agreement, up to and including termination. Any employee in violation of this policy ~~may~~ shall be required to participate in a drug-abuse assistance or rehabilitation program approved by the ~~Board~~District's Drug Free Workplace Program.

~~The Board directs the Superintendent to determine the need for any other drug testing procedures not included in this policy, such as a random drug testing program. If established, such procedures are established in consultation with an approved drug testing provider and take into consideration all requirements of law and/or the collective bargaining agreement.~~

~~The drug testing includes the substances identified by the testing panel as determined by the Superintendent/designee.~~

Pre-Employment Tests

Prior to the first time a van driver performs safety-sensitive functions for the District, a controlled substances test is administered.

The test is required of an applicant only after he/she has been offered employment. Employment is conditional upon the applicant receiving a negative drug test result.

Post-Accident Tests

The District provides van drivers with necessary post-accident information, procedures and instructions, so that the driver will be able to comply with these requirements.

Alcohol and controlled substance tests are conducted in accordance with timelines established by the District after an accident on any driver who:

1. was performing safety-sensitive functions with respect to the vehicle if the accident involved loss of human life and/or

2. received a citation under State or local law for a moving-traffic violation arising from the accident.

Van drivers involved in an accident may be prohibited from using alcohol ~~for a period of time to be established by the District or~~ until he/she~~they~~ undergoes a post-accident alcohol test, ~~whichever occurs first~~.

Post-accident tests are conducted in accordance with timelines and protocols developed by the District in consultation with the testing provider.

The Board reserves the right to require any van driver involved in an accident while on duty to undergo alcohol and controlled substance testing.

Reasonable Suspicion

The District follows the established drug-free workplace policy for reasonable suspicion testing.

~~The Board directs the Superintendent to determine the need for any other drug testing procedures not included in this policy. If established, such procedures are established in consultation with an approved drug testing provider and take into consideration all requirements of law and/or the collective bargaining agreement.~~

Adopted: **September 01, 2025**

Management Resources:

- 2025 Issue 3 September Policy Development Quarterly